

1 *[Counsel for Parties listed on signature pages]*

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 MARTIN LEWIS, AARON COOPER, and  
12 ANISSA SCHILLING, on behalf of themselves  
and a class of those similarly situated,

13 Plaintiffs,

14 v.

15 WELLS FARGO & CO.,

16 Defendant.

Case No. 08-cv-2670 CW

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**JOINT REPORT, STIPULATION  
AND ORDER CONTINUING  
DEADLINES SET FORTH IN  
DECEMBER 18, 2009 CASE  
MANAGEMENT ORDER**

1 WHEREAS, the Court entered a Case Management Order on December 18, 2009, setting  
2 forth certain dates for discovery, dispositive motions, and trial;

3 WHEREAS, on April 22, 2010, the Court heard argument from the parties on Plaintiffs'  
4 Motion for Class Certification;

5 WHEREAS, the Court has not yet ruled on Plaintiffs' Motion for Class Certification;

6 WHEREAS, on July 22, 2010, upon Stipulation of the Parties, the Court stayed all  
7 discovery deadlines and the pending Motion for Class Certification while the parties engaged in  
8 mediation;

9 WHEREAS, on November 8, 2010, the Parties participated in mediation with Mr. Jeffrey  
10 A. Ross. While the mediation did not result in a settlement on that day, the Parties are continuing  
11 to work with Mr. Ross towards a resolution.

12 WHEREAS, on November 17, 2010, the Court approved the Parties' stipulation to  
13 continue to stay discovery and the Motion for Certification and to jointly report to the Court by  
14 December 10, 2010 as to whether the case has been resolved;

15 WHEREAS, the Parties are continuing to work together and with Mr. Ross towards as a  
16 resolution.

17 The parties hereby stipulate and agree that:

- 18 1. All discovery deadlines are hereby stayed while the Parties continue their efforts with  
19 Mr. Ross.
- 20 2. Plaintiffs' pending Motion for Class Certification is hereby stayed while the parties  
21 continue their efforts with Mr. Ross.
- 22 3. The parties shall jointly report to the Court by January 14, 2011, either that (1) they  
23 have reached a resolution or (2) they request a new case management order setting  
24 forth new deadlines to supersede those set forth in the December 18, 2009 Case  
25 Management Order, and that the Court issue its ruling on Plaintiffs' Motion for Class  
26 Certification.

1 Dated: December 10, 2010

By: /s/ Jahan C. Sagafi  
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13 *Attorneys for Plaintiffs and Class Members*

14 Dated: December 10, 2010

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25 *Attorneys for Defendant Wells Fargo Bank, N.A.*

**ORDER**

The foregoing stipulation is approved, and IT IS SO ORDERED.

Dated: December 15, 2010

  
Hon. Claudia Wilken  
United States District Judge